"That the Bill further to amend the Income-tax Act, 1961, the Wealth-tax Act, 1957 and the Expenditure-tax Act, 1987, as passed by Lok Sabha, be taken into consideration".

The motion was adopted.

THE DEPUTY CHAIRMAN: Now, we shall take up clause-by-clause consideration of the Bill.

Clauses 2-23 *were added to the Bill.*

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI JASWANT SINGH: Madam, I move:

That the Bill be returned.

The question was put and the motion was adopted.

STATUTORY RESOLUTION DISAPPROVING THE REPRESENTATION OF THE PEOPLE (AMENDMENT) ORDINANCE, 2003 (NO.5 Of 2003)

AND

THE REPRESENTATION OF THE PEOPLE (SECOND AMENDMENT) BILL, 2003

THE DEPUTY CHAIRMAN: Now, we take up Statutory Resolution disapproving the Representation of the People (Amendment) Ordinance, 2003 (No. 5 of 2003) and the Representation of the People (Second Amendment) Bill, 2003. Dr. T. Subbarami Reddy, you are going to move your Resolution that this House disapproves the Representation of the People (Amendment) Ordinance, 2003 (No.5 of 2003) promulgated by the President on the 29th October, 2003.

DR. T. SUBBARAMI REDDY (Andhra Pradesh) : Madam, before that, I would like to seek some clarifications from the hon. Minister.

THE DEPUTY CHAIRMAN: No, it is not that. I will tell you. It is simple, because this also came up in the form of an Ordinance; so, you can say that you are opposed to the ordinance route.

DR. T. SUBBARAMI REDDY: That is okay, but I don't have the details.

JHE DEPUTY CHAIRMAN: But you have got the copy of the Bill. You read it.

DP. T. SUBBARAMI REDDY: Madam, I want a copy of the Bill; it is not with me.

THE DEPUTY CHAIRMAN: Then, you don't oppose.

SHRI PRANAB MUKHERJEE (West Bengal) : Madam, I would like to supplement; perhaps, it was a case where the Ordinance route was desirable, as I mentioned that so far as the Union Territories are concerned, there were no districts and there was no provision of the Electoral Officer or the District Officer in respect of the Union Territories. Now, when the election was due in the Union Territory of Delhi, it was found that districts had already been created, but there was no provision in the Peoples' Representation Act 13 (a)(a) that District Officers or the Electoral Officers for the Union Territories are to be designated. So, it was done through that Ordinance and this is one Ordinance which is welcome, but, nonetheless, Members of Parliament are always eager to ensure that legislation should take place only through the Parliament route and not through the Executive route of Ordinance; that is why, my colleague raised that Statutory Resolution.

THE DEPUTY CHAIRMAN: He does not know what he is opposing.

DR. T. SUBBARAMI REDDY: No, Madam, I know it. Actually, in the morning, it was decided that Mr. Kapil Sibal would speak on this. He is not here. That is why I did not prepare.

THE DEPUTY CHAIRMAN: I am sorry; it is in your name, Mr. Suresh Pachouri, Dr. Dasari Narayana Rao, and Shri Prithviraj Chavan. These are the Members whose names have been registered.

DR. T. SUBBARAMI REDDY: Madam, in the morning, it was decided that Mr. Kapil Sibal would speak.

THE DEPUTY CHAIRMAN: The whole thing is that while speaking on the previous Bill and Statutory Resolution, Mr. Pranab Mukherjee very clearly mentioned that in this case, there was an urgency because the elections had been announced.

The elections were announced and the urgency was that the provision of appointing a District Authority was not there in the People's Representation Act. So, it was needed, and now he had to get up to say it again. You could have easily withdrawn your Statutory Resolution.

DR. T. SUBBARAMI REDDY: No; no, Madam, I just want to say that the s/stem of promulgating Ordinances is not good. I oppose it. It is not a welcome step. But it is not that emergency. Anyway, since it is over now, I withdraw it.

THE DEPUTY CHAIRMAN: I had given you an idea right in the beginning. You could have just said one line.

उपसभापति : इसमें तो कुछ है ही नही । I think, you can just speak. The Chair and the Pranabji have already spoken about it. Yes; Mr. Thomas.

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI P.C. THOMAS): Madam, whatever has been there in the Bill, it has already been explained by my hon. friend, Shri Pranab Mukherjee. In fact, Section 13AA provides for the designation or nomination of an Officer as the District Election Officer for each State. This provision needs an amendment because of the fact that the Union Territories are now having districts. Delhi has got several districts. Even the smaller Union Territories have got districts. Therefore, the District Election Officers are those who have to coordinate and supervise the election work, even including the preparation of electoral rolls. So, it has become necessary. Though in 1966 when 13AA was enacted, there was no provision of districts for Union Territories. This has become necessary and the Election Commission has recommended that Section 13AA may be amended accordingly. So, this is the Bill to amend that, and the necessity of the Ordinance has been rightly stated that it was because of the elections which were due in Delhi that the

Election Commission has requested that the Act might be amended at the earliest. And, that was the necessity to bring in an Ordinance of this nature. So, I request that the Statutory Resolution moved may kindly be withdrawn in view of the emergency in which the Ordinance was promulgated.

The question was proposed.

THE DEPUTY CHAIRMAN: Now, it is the property of the House. It will have to be voted.

SHRI P.C. THOMAS: Yes; Madam.

THE DEPUTY CHAIRMAN: As has been explained clearly, I think there is no need for any discussion. I have not many names. I have got just three names with me. One name is of Mr. Ranganath Misra. Do you want to support?

SHRI RANGANATH MISRA (Orissa): It was not there earlier. But the Union Territories have been organised, it is recommended to be there.

THE DEPUTY CHAIRMAN: Okay.

SHRI VAYALAR RAVI (Kerala) : Madam, I had given my name for speaking on Delimitation (Amendment) Bill.

THE DEPUTY CHAIRMAN: No: this is not Delimitation (Amendment) Bill. It is coming. It is after this. Another one is coming. The Delimitation (Amendment) Bill is the next one. You can speak on the Delimitation Bill, if you like. Now, on the Representation of the People's (Second Amendment) Bill, the next is Mr. Suresh Bhardwaj. Mr. Bhardwaj, you can support it now, I suppose.

SHRI SURESH BHARDWAJ (Himachal Pradesh): Madam, I am supporting it.

THE DEPUTY CHAIRMAN: Thank you. भडंरी जी का तो है ही नही । So, as there is no objection to it, .t was a necessity to bring it. Those who are sitting in the ruling party were sitting in the Opposition some time ago.

They had opposed the Ordinances. Many people had opposed the Ordinances, those who are in the House now and those who are not. Now, you are sitting on this side. But the people sitting in the middle of the House had always opposed the Ordinances. So, they remain consistent in their view. The Left Front, which sits in the middle of the House, never brings any Statutory Resolutions disapproving Ordinances here in this House...*(Interruptions)...* I do not know whether they can promulgate Ordinances. So, I shall first put the Resolution moved by Dr. T. Subbarami Reddy. Are you withdrawing it?

DR. T. SUBBARAMI REDDY: Madam, I withdraw it and let it be passed. I have no objection.

THE DEPUTY CHAIRMAN: Okay. The question is :

Has he the permission of the House to withdraw the Resolution.

The Resolution was, by leave, withdrawn.

THE DEPUTY CHAIRMAN: Now, I shall now put the motion moved by Shri P.C. Thomas to vote. The question is,

> That the Bill further to amend the Representation of the People Act, 1950 and the Representation of the People Act, 1951, as passed by Lok Sabha, be taken into consideration."

The motion was adopted.

THE DEPUTY CHAIRMAN : Now, we shall take up Clause-by-Clause consideration of the Bill.

Clauses 2 *to* 4 *were added to the Bill.*

Clause 1, *the Enacting Formula and the Title were added to the Bill.*

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI P. C. THOMAS) : Madam, I beg to move :

That the Bill be passed.

The question was put and the motion was adopted.